

NOTE FOR CIRCULATION

The file deals with disciplinary action against Sri G.Kesavulu, Regional Joint Commissioner, MZ-II, Tirupathi for his callousness in safeguarding the Swami Hathiramji Mutt Lands, Tirupathi, Chittoor District.

It is submitted that the Assistant Commissioner, Endowments Department, Chittoor District in his Proceedings in Rc.No.B1/207/2003 dt.26-5-2004 declared Sri K.Subramanyam Achari, S/o Eswarachari as land less poor as cultivating tenant of the lands measuring Ac.1.10 Cents of dry and Ac.1.74 cents of wet land covered by Sy.No.244/3 and 242/A respectively situated at Muthyalareddypalle village of Tirupathi Town Chittoor District.

Sri G.Kesavulu, RJC, MZ-II, Tirupathi took up the revision of the said proceedings of the Assistant Commissioner, Endowments Dept., Chittoor district on suo-moto and upheld the proceedings of the Asst.Commissioner, ie., declaration of Sri K.Subramanyam Achari, S/o Eswarachari as land less poor, and passed orders on 7-2-2005 in Appeal No.26/2004. With the above orders of RJC, MZ-II, the petitioners have approached the Administrative Officer, Sri Swamy Hathiramji Mutt stating that they are ready to purchase the said land under the provisions of the Act and issue suitable orders vide letter dt.28-2-2005.

Government has taken the matter seriously and framed charges against Sri G.Kesavulu, RJC, vide G.O.Rt.No.1208 Rev. (Vig.IV)Dept., dt.25-5-2006 and requested the C.E.D., to initiate

disciplinary action for major penalty against Sri P.Surya Kumar, Asst.Commr., Endt.,Dept.,Tirupathi forhis callousness in safeguarding the property of Swami Hathiramji Mutt and to send action taken report to Govt.Memo.dt.25-5-2006.

Sri G.Kesavulu, RJC, MZ-II, Tirupathi has submitted his written statement of defence. Not convinced by the Written Statement of defence submitted by the individual, Government have placed Sri G.Kesavulu, former RJC, MZ-II, Tirupathi under suspension vide G.O.Rt.No.1547 dt.12-7-2006 till the conclusion of the disciplinary proceedings relating to the case. Further, the C.E.D., has also been requested to place the other co-accused officers i.e, Asst.Commr., Endt.,Dept., Tirupathi and Administrative Officer, Sri Swami Hathiramji Mutt under suspension vide Govt.Memo. No. 20553/Vig.IV(1)/2006-2 dt.12-7-2006 and to report compliance.

Further in Govt.Memo. No. 20553/Vig.IV(1)/2006-3 dt.12-7-2006, orders were issued suspending the orders passed by the Assistant Commissioner, Endt., Dept., Chittoor in Rc.No.B1/5207/2003-ADM, dt.26-5-2004 and consequential proceedings passed by the RJC, MZ-II, Tirupathi in Appeal No.26/2004, dt.7-2-2005 and C.E.D., has also been requested to furnish the records relating to the matter to take review U/s 93 of the Act 30/87 along with the Written Statement of defence of both the Accused officers.

The C.E.D., in his report dt.15-7-2006 submitted that Sri P.Surya Kumar, Asst.Commr., Endt., Dept., Chittoor has been placed under suspension vide Proc.dt.15-7-2006 and that Sri M.Sanjeeva Reddy, retired from service on the AN of 30-6-2006 and that the question of suspending does not arise except framing charges by the Government duly withholding the pensionary benefits till conclusion

of the disciplinary proceedings pending against the retired officer. The matter has been referred to COI for further enquiry.

Aggrieved by the suspension orders passed in G.O.Rt.No.1547 dt.12-7-2006, Sri G.Kesavulu, former RJC has filed an O.A. before the Hon'ble A.P.A.T., Hyderabad, and the Hon'ble

A.P.A.T., in O.A.No.5116/2006 dt.2-8-2006 has suspended the impugned orders issued in G.O.Rt.No.1547 dt.12-7-2006 passed by the Government and also the consequential orders issued by the C.E.D., in Rd.No.E1/2757/2006 dt.15-7-2006. Accordingly, Sri G.Kesavulu was reinstated pending final outcome of the enquiry. Similarly Sri P.Surya Kumar, the then Asst.Commissioner (under suspension) has also filed an O.A. and as per the direction of the Hon'ble A.P.A.T., in O.A.No.4504/2006 dt.28-9-2006 Sri P.Surya Kumar was also reinstated to duty pending final outcome of the enquiry.

Sri G.Kesavulu, in his representation dt.11-6-2008 has submitted that the Asst.Commr., Endt.,Dept., Chittoor has passed an order declaring one Sri Subramanya Chary as Landless Poor Person against the lands belonging to Sri Hathiramji Mutt, Tirupathi, and to do justice to the Institution, he suo-motively, has taken up the case as RJC U/s 93 of the Act and passed order by disposing the file without any order. During the course of hearing, the custodian of the institution has admitted and filed counter saying that the order passed by the AC is proper and correct, and in view of the counter filed by the Custodian and stand taken by him during the enquiry, that he has no other go though he has an intention to quash the order, just disposed the file as per records without passing any order.

He has further submitted that at the instance of TDO Political

leaders and anti-social elements, when he was due for promotion, disciplinary action was taken against him pending enquiry and till to- day enquiry is not taken up, and that he is a S.C. person and due for promotion. The disciplinary action taken against him is willful and with motivation at the instance of the other colleagues and other opposition political party leader. He stated that in this

case, there is no complaint against him from any person or from the institution, the order passed by him has not affected the institutions or the Government or any body.

He has finally submitted that wherever, he worked, like at Srisailam, Srikalahasthi, Kanipakam etc., he worked hard and sincere to the institution and also to the Government and therefore requested the Hon'ble Govt., to kindly drop the above shown disciplinary proceeding against him since, he has not acted against to the Institution or to the Govt. or against to Law.

In this connection, it is submitted that the matter has been referred to COI for further enquiry. Dr. Prasantha Mahapatro, IAS., COI., GAD has been appointed as Enquiry Officer vide - G.O.Rt.No.639, Rev. (Vig.IV) Dept., dt.28.3.2007. The case is pending before Commissioner of Inquiries.

It is also submitted that, when the file was circulated to Hon'ble C.M. on a representation of Smt. Galla Aruna Kumari, Minister for ME&HI., the Hon'ble C.M. has ordered that—

“Seen. Thanks. Pl. Circulate the file after the enquiry is over by COI.”

It is further submitted that in Govt. Memo. dated 2.6.2007, the CED., AP., Hyderabad has been requested to furnish the records relating to the proceedings passed by the AC and consequential proceedings of RJC., along with AOCs., required U/Rule 20 (3) of

APCS (CC&A) Rules, 1991 in respect of Sri M. Sanjeeva Reddy, A.O. (Retd) together with records/documents relied upon to frame charges against the A.O. and also requested to furnish Charge Memo. and WSD in respect of Sri P. Surya Kumar, ACED., Chittoor, so as to send the same to COI, as desired. But, the CED., has only furnished a copy of the charge memo and explanation of the AO. in respect of Sri P. Surya Kumar and other references and records, as called for are still awaited from him.

In view of the above, the CED., AP., Hyderabad may once again be requested through a D.O.letter at the level of

Prl.Secretary, to furnish the information as called for in Govt. Memo. dt.2.6.2007, so to enable the Govt. to send the same to COI, as desired by them, and also for initiating the disciplinary action under rule 9 of APRP Rules, 1980, against Sri M.Sanjeeva Reddy, A.O.(Retd), Sri Swamy Hathiramji Mutt who retired from service two years back since it is time bound one. The C.E.D., may also be informed that if he does not furnish the above information within a stipulated time of (10) days from the date of receipt of the D.O.Ir. disciplinary action will be initiated against the persons responsible for causing such dealy.

Submitted for orders on the paras () and ()

After orders are passed, the file may be circulated to Hon'ble Minister (Endts.) for favour of information with reference to his minutes on p 233 c.f.

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Endowments Department - Sri M. Sanjeeva Reddy, (Retd.) Assistant Commissioner of Endowments - Committed certain omissions and commissions in the administration of Sri Swamy Hathiramji Mutt, Tirupati while working as Administrative Officer - Disciplinary action - Sanction under rule 9 of A.P.R.P. Rules, 1980 - Orders - Issued.

REVENUE (VIGILANCE.IV(1)) DEPARTMENT

G.O.Ms.No.
2008.

Dated: 20-09-

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ORDER:

It is brought to the notice of the Government that Sri M. Sanjeeva Reddy, Retired Assistant Commissioner of Endowments, while working as Administrative Officer of Sri Swamy Hathiramji Mutt, Tirupati has committed certain omissions and commissions in the administration of the said Institution.

2. Now, therefore, sanction is hereby accorded under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 to initiate disciplinary proceedings against Sri M. Sanjeeva Reddy, Assistant Commissioner of Endowments (Retd.).

3. It is further decided that the disciplinary proceedings shall be conducted in accordance with the procedure laid down under rule 20 of A.P.C.S. (CC&A) Rules, 1991.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SUDHIR

PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Sanjeeva Reddy,
Assistant Commissioner of Endts.(Retd.),
W/o Plot No.212, Gayathri Towers,
Gayatri Estate, Kurnool.(By Regd. Post with ACK due.),
The Individual (through the Commissioner, Endowments
Department, AP., Hyderabad)

Copy to:

The Commissioner, Endowments Department, A.P., Hyderabad.
(with a request to furnish served copy of the G.O)

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Endowments Department -- Sri M. Sanjeeva Reddy, (Retd.) Assistant Commissioner of Endowments - Committed certain omissions and commissions in the administration of Sri Swamy Hathiramji Mutt, Tirupati while working as Administrative Officer - Disciplinary proceedings under rule 20 of A.P.C.S.(CC&A) Rules, 1991 - Articles of Charges - Issued.

REVENUE (VIGILANCE.IV(1)) DEPARTMENT

G.O.Rt.No.
2008

Dated: 20-09-

Read:

G.O.Ms.No. , Revenue (Vig.IV) Dept., dt. 20-09-2008.
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O R D E R:

1. It is proposed to hold an enquiry against Sri M. Sanjeeva Reddy, Assistant Commissioner of Endowments (Retd.) in accordance with the procedure laid down under rule 20 of A.P.C.S. (CC&A) Rules, 1991.
2. The substance of imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charge (Annexure-I). A statement of imputations of misconduct/misbehavior (Annexure-II). A list of documents by which and a list of witnesses (Annexure-III & IV) by whom the proposed Articles of Charges are sustained.
3. Sri M. Sanjeeva Reddy, Assistant Commissioner of Endowments (Retd.) is directed to appear in person before the Chief Vigilance Officer at 11.30 am on 6-10-2008 and submit his written statement of Defence.

4. Sri M. Sanjeeva Reddy, Assistant Commissioner of Endowments (Retd.) is informed that an enquiry will be held only in respect of those Articles of Charge which are not admitted. He should, therefore specifically admit or deny each Article of Charge.

5. Sri M. Sanjeeva Reddy, Assistant Commissioner of Endowments (Retd.) is also informed that if he does not submit his Written Statement of Defence on or before the date specified in para 3 above, further action will be processed based on the material available on record exparte.

6. Attention of Sri M. Sanjeeva Reddy, Assistant Commissioner of Endowments (Retd.) is invited to rule 24 of A.P.C.S.(Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri M. Sanjeeva Reddy, Assistant Commissioner of Endowments (Retd.) is aware of such a representation and that it has been

(p.t.o.)

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made at his instance and action will be taken against him for violation of rule 24 of A.P.C.S. (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SUDHIR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Sanjeeva Reddy,
Assistant Commissioner of Endts.(Retd.),
W/o Plot No.212, Gayathri Towers,
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Copy to:

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//FORWARDED BY ORDER//

SECTION
OFFICER

